

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the product contained decomposed tomato material.)

**DISPOSITION:** February 14, 1950. A default decree of condemnation and destruction was entered with respect to 638 cases of tomato juice which had been seized by the United States marshal on January 17, 1950. On March 7, 1950, an amended decree was entered condemning and ordering the destruction of an additional 80 cases and 21 cans of tomato juice which had been seized by the United States marshal on January 30, 1950, pursuant to the libel.

**16254. Adulteration of tomato juice. U. S. v. 480 Cases \* \* \*. (F. D. C. No. 28961. Sample No. 60371-K.)**

**LIBEL FILED:** April 12, 1950, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about March 24, 1950, from Fort Wayne, Ind. This was a return shipment.

**PRODUCT:** 480 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Edgerton, Ohio.

**LABEL, IN PART:** (Can) "Little Elf Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** May 4, 1950. Default decree of condemnation and destruction.

**16255. Misbranding of tomato juice. U. S. v. 418 Cases \* \* \*. (F. D. C. No. 28951. Sample No. 65513-K.)**

**LIBEL FILED:** April 28, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 3, 1948, by the Wann Packing Co., from Elwood, Ind.

**PRODUCT:** 418 cases, each containing 24 unlabeled cans, of tomato juice at Chicago, Ill.

**LABEL, IN PART:** (Cases) "Tomato Juice."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato juice since it contained seeds, whereas the regulations require that tomato juice be strained free from seeds.

**DISPOSITION:** June 14, 1950. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

**16256. Adulteration of tomato juice. U. S. v. 195 Cases \* \* \*. (F. D. C. No. 28968. Sample No. 67404-K.)**

**LIBEL FILED:** On or about April 12, 1950, Western District of Virginia.

**ALLEGED SHIPMENT:** On or about March 17, 1950, by the St. Marys Packing Co., from Van Wert, Ohio.

**PRODUCT:** 195 cases, each containing 24 1-pint, 2-fluid-ounce cans, of tomato juice at Roanoke, Va.

**LABEL, IN PART:** (Can) "Kroger Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** May 30, 1950. Default decree of condemnation and destruction.

**16257. Adulteration of tomato juice. U. S. v. 171 Cases \* \* \*. (F. D. C. No. 28979. Sample No. 76215-K.)**

**LIBEL FILED:** April 18, 1950, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about March 16, 1950, by the St. Marys Packing Co., from Delphos, Ohio.

**PRODUCT:** 171 cases, each containing 24 1-pint, 2-fluid-ounce cans of tomato juice at Madison, Wis.

**LABEL, IN PART:** (Can) "Kroger Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** May 8, 1950. Default decree of forfeiture. The court ordered that the product be sold by the United States marshal for use other than for human consumption; otherwise, the product was to be destroyed. The product was destroyed.

**16258. Adulteration of tomato juice. U. S. v. 92 Cases \* \* \*. (F. D. C. No. 27951. Sample No. 60341-K.)**

**LIBEL FILED:** November 7, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about May 25, 1949, by Meeter's, Inc., from Union Grove, Wis.

**PRODUCT:** 92 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Rockford, Ill.

**LABEL, IN PART:** "Grove Brand Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material, and was otherwise unfit for food by reason of its bitter, unpleasant taste.

**DISPOSITION:** April 17, 1950. Default decree of condemnation and destruction.

## DAIRY PRODUCTS

### BUTTER

**16259. Adulteration of butter. U. S. v. C. A. Swanson & Sons. Plea of nolo contendere. Fine of \$200, plus costs. (F. D. C. No. 28768. Sample Nos. 13392-K, 13393-K.)**

**INFORMATION FILED:** March 20, 1950, District of Nebraska, against C. A. Swanson & Sons, a corporation, Omaha, Nebr.

**ALLEGED SHIPMENT:** On or about July 28, 1949, from the State of Nebraska into the State of Pennsylvania.

**LABEL, IN PART:** (Portion) "Ever-Fresh-Brand Salted Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments and insects, and, in addition, a portion of the product consisted in part of